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U.S. Appln. No. 09/719/056
Reply to Office Action dated June 10, 2005

PATENT
450108-02448

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-21 are pending in this application. Claims 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 16, and 19 are independent. Claim 16 is hereby amended. No new matter has been introduced by this amendment. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. 35 U.S.C. § 101 REJECTIONS

Claims 16-18 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Applicants submit that, as amended, claims 16-18 are now directed statutory subject matter. Applicants respectfully request the rejection of claims 16-18 under 35 U.S.C. § 101 be withdrawn.

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III. 35 U.S.C. § 103(a) REJECTIONS

Claims 1-21 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over U.S. Patent No. 6,002,771 to Nielson in view of U.S. Patent No. 5,673,316 to Auerbach et al.

Independent claim 1 recites, *inter alia*,

“...second preparation means, located at the server, for preparing a second usage control status that identifies said second usage details and pricing details corresponding to said second usage details, based on said usage control policy and said price tags, when rights are purchased again by said one or more information processing apparatuses...

...wherein said encrypted information is accessed, at a first information processing apparatus, for a first pre-selected period of time, as a function of said purchased rights and usage control policy, and

wherein said encrypted information is accessed, at a second information processing apparatus, for a second pre-selected period of time independent of a connection to the first information processing apparatus.” (emphasis added)

The other independent claims recite similar features.

As understood by Applicants, U.S. Patent No. 6,002,771 to Nielsen (hereinafter, merely “Nielsen”) relates to a method and system for regulating discounts on merchandise distributed through networked computer systems. The method and system involve the use of discount coupons valid toward the repurchase of the merchandise. When a user desires to purchase merchandise, the user creates a request to purchase the merchandise and sends the request to purchase to a vendor. The vendor creates and encrypts a discount coupon valid toward the repurchase of the merchandise at a later time and sends the encrypted discount coupon together with the merchandise to the user. Later, when the user desires to repurchase the merchandise, the user creates a request to repurchase the merchandise and sends the request to

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repurchase to the vendor. The vendor decrypts the request to repurchase and verifies certain information regarding the purchase and the repurchase of the merchandise. After verifying the information, the vendor sends the merchandise to the user. (see Abstract, emphasis added)

As understood by Applicants, U.S. Patent No. 5,673,316 to Auerbach et al. (hereinafter, merely "Auerbach") relates to creating and distributing access to digital documents using cryptographic envelopes.

Applicants submit that nothing has been found in either Nielson or Auerbach, taken alone or in combination, that would teach or suggest the above-identified features of claim 1. Specifically, nothing has been found in the art used as a basis of rejection that would disclose or suggest encrypted information is accessed, at a first information processing apparatus, for a first pre-selected period of time, as a function of said purchased rights and usage control policy, and wherein said encrypted information is accessed, at a second information processing apparatus, for a second pre-selected period of time independent of a connection to the first information processing apparatus, as recited in claim 1.

Indeed, as stated in Applicants' previous response, Applicants submit that the printed coupon in Nielsen teaches away from the first and second preselected time periods as recited in claim 1, since a printed coupon offers a completely different approach to providing content to a user at a reduced fee. Furthermore, Applicants submit that Auerbach fails to add any relevant teaching to Nielsen.

Thus, Applicants submit that the combination fails to teach or suggest the features recited in claim 1 and the combination actually teaches away from the claimed invention.

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Accordingly, Applicants submit that claim 1 is allowable.

Since the other independent claims recite similar, or somewhat similar features, Applicants submit that those claims are also patentable for the above-recited reasons.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited references, it is respectfully requested that the Examiner specifically indicate the portion, or portions, of the reference, or references, providing the basis for a contrary view.

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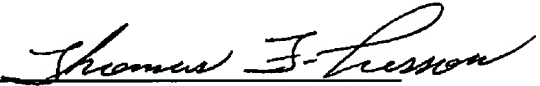
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In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,
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